

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF PENNSYLVANIA

IN RE: TYLENOL (ACETAMINOPHEN)
MARKETING, SALES PRACTICES AND
PRODUCTS LIABILITY LITIGATION

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MDL NO. 2436
2:13-md-02436
HON. LAWRENCE F. STENGEL

THIS DOCUMENT RELATES TO:

Bobby Jo Huffman and Jesse D. Huffman,
Jr., h/w McNeil-PPC, Inc., et al.

Case No. 2:13-cv-01753-LS

ORDER ON PLAINTIFFS' COUNSEL'S MOTION TO
WITHDRAW AS COUNSEL FOR THE PLAINTIFFS

WHEREAS, this matter having been presented to the Court by Motion of Laurence S. Berman, Esquire, Michael M. Weinkowitz, Esquire, and the law firm of Levin Sedran & Berman, seeking an Order permitting said attorneys and their law firm to withdraw from the representation of Bobby Jo Huffman and Jesse D. Huffman, Jr. in this case, and good cause appearing:

IT IS, on this 19 day of July, 2017, hereby **ORDERED** as follows:

1. Upon the passage of twenty (20) days from the date of this Order, in the event Plaintiffs fail to respond to the Motion, movants Laurence S. Berman, Esquire and Michael M. Weinkowitz, Esquire and the law firm of Levin Sedran & Berman ("Movants") shall be marked on the docket of this case as having withdrawn as attorneys for the Plaintiffs and shall have no further responsibility to the Plaintiffs on this matter.
2. In the event Plaintiffs do not timely respond to the Motion as required in Paragraph 1 above, resulting in Movants being marked as withdrawn as attorneys for Plaintiffs in this case, within forty-five (45) days of this Order, Plaintiffs shall cause the entry of an appearance of new counsel

to be made on the docket for Plaintiffs, or Plaintiffs must notify the Court and Defendants' counsel of their desire to proceed *pro se*, with an address at which service of notices or other papers may be completed upon them. Notice to Defendants shall be made to their counsel, G. Brian Jackson, Esquire, Butler Snow LLP, 150 3rd Avenue South, Suite 1600, Nashville, TN 37201 by first class mail and by email to Mr. Jackson, at Brian.Jackson@butlersnow.com, with a copy to Catherine.Mason@butlersnow.com.

3. In the event the Plaintiffs do not timely comply with the requirement of either causing new counsel to enter an appearance for them, or provide information about their intent to proceed *pro se* as required in Paragraph 2 above, Plaintiffs are placed on notice that Defendants shall be permitted to file a Motion for dismissal of this case for a failure to prosecute by the Plaintiffs. Defendants may serve any such Motion at the same address as utilized by the Movants to serve their Motion to Withdraw as Counsel.

4. In the event Plaintiffs timely comply with the requirement of either causing new counsel to enter an appearance for them, or provide information about their intent to proceed *pro se* as required in Paragraph 2 above, the Movants shall mail the appropriate portions of their file in this case pursuant to Rule of Professional Conduct 1.16(d) to Plaintiffs at the address that Plaintiffs shall provide for the service of papers on them in the event they choose to proceed *pro se*, or to newly identified counsel in the event Plaintiffs retain new counsel, within fourteen (14) days of Plaintiffs' timely compliance with the requirement of Paragraph 2 above.

5. This case is stayed for a period of forty-five (45) days from the date of the entry of this Order, pending the opportunity described above for Plaintiffs to either retain counsel who enters an appearance on the record or Plaintiffs notifying the Court and the parties of their intent to proceed *pro se*.

6. The Plaintiffs are hereby notified that their failure to comply with this Order in any regard may lead to the imposition of appropriate sanctions, including the possibility of dismissal of Plaintiffs' claim(s) with prejudice.

BY THE COURT:

A handwritten signature in black ink, appearing to read 'T. R. Rice', written in a cursive style.

MAGISTRATE JUDGE TIMOTHY R. RICE